

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KANA INVESTMENT CORP.,

Plaintiff,

Case No. 12-cv-13689

v.

HONORABLE STEPHEN J. MURPHY, III

FEDERAL DEPOSIT INSURANCE
CORPORATION, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION (document
no. 15) **AND DENYING MOTION FOR DEFAULT JUDGMENT** (document no. 13)

On November 14, 2013, plaintiff Kana Investment Corp. ("Kana") moved for a default judgment against defendant Federal Deposit Insurance Corporation ("FDIC") before obtaining an entry of default judgment from the Clerk of the Court. Due to the oversight, the magistrate judge reviewing the default judgement motion recommended denying it. Kana did not object. Instead, it contacted the Clerk about an entry of default and filed an amended motion for default judgment.

A party has 14 days to file specific written objections to a report and recommendation. See Fed. R. P. 72(b)(2). Although a court must review timely objections to a magistrate judge's report and recommendation, a court may adopt, reject, or amend the portions of a report and recommendation to which no party properly objects. See Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Here, Kana filed no objections to the Report, which correctly concluded that granting the original motion for default judgment against FDIC was procedurally improper. Therefore, the Court will adopt the Report and deny Kana's motion.

ORDER

WHEREFORE, it is hereby **ORDERED** that the Report (document no. 15) is **ADOPTED** and Kana's motion for default judgment (document no. 13) is **DENIED**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: May 11, 2014

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 11, 2014, by electronic and/or ordinary mail.

s/Carol Cohron
Case Manager